REGISTERED PATENT ATTORNEY JOHN JAMES McCLEW J.D., NY, NJ, DC BARS D.W. DARREN KANG ID, NJ BAR coly

THEOBALD I. DENGLER, PATENT AGENT HILDAS, McGLEW M.D., PATENT AGENT

McGlew and Tuttle, P.C.

PATENT, TRADEMARK, COPYRIGHT, AND UNFAIR COMPETITION CAUSES

Counselors at Law

TEL: (914) 941-5600 FACSIMILE: (914) 941-5855 EMAIL:MandT@mcglewtuttie.com

1 SCARBOROUGH STATION PLAZA SCARBOROUGH, NEW YORK 10510-0827

RECEIVED
CENTRAL FAX CENTER

JAN 2 7 ZUV4

ATTORNEY DOCKET NO: 70055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Applicant

: KNIGHT et al.

Serial No

: 09/901,873

Confirm. No

: 5953

Filed

: July 9, 2001

For

: PELLETIZING DIE...

Art Unit

: 1722

Examiner

: Joseph S. DelSole

Dated

: January 27, 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS PAPER FOR SERIAL NO. 09/901,873 (3 PAGES IN ALL) IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE FACSIMILE NUMBER 1-703-872-9306 ON THE DATE SHOWN BELOW.

Julie Flynn

NAME OF PERSON SIGNING CERTIFICATION

SIGNATURE

DATED:

: January 27, 2004

McGLEW AND TUTTLE, P.C. SCARBOROUGH STATION

SCARBOROUGH, NEW YORK 10510-0827

TELEPHONE: (914) 941-5600 FACSIMILE: (914) 941-5855

NOTE:

IF THERE IS ANY ADDITIONAL FEE DUE PLEASE CHARGE IT TO OUR

DEPOSIT ACCOUNT 13-0410 AND ADVISE US OF ANY CHARGE THAT YOU

MAKE

70055.14

RECEIVED **CENTRAL FAX CENTER**

JAN 2 7 2004

ATTORNEY DOCKET NO: 70055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Applicant

: KNIGHT et al.

Serial No

: 09/901,873

Confirm. No : 5953

Filed For

: July 9, 2001

: PELLETIZING DIE...

Art Unit

: 1722

Examiner Dated

: Joseph S. DelSole

: January 27, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO REQUIREMENT UNDER 35 USC § 121

In response to the Office Action dated December 24, 2003, Applicant hereby elects the Invention I with claims 1 - 8 and 10 - 18 drawn to a pelletizing dye.

Applicant respectfully requests that the Examiner reconsider the restriction requirement, especially between Inventions I and II. Applicant notes that the apparatus of claim 8, and the method of claim 9, have many features in common so that a single search would be beneficial. Further, the close relationship between the method and the apparatus are such that the apparatus, especially the apparatus of claim 8, cannot be used to practice a materially different process.

If the Examiner has any comments or suggestions which would further favorable prosecution of this application, the Examiner is invited to contact Applicant's representative by telephone to discuss possible changes.

Favorable action is respectfully requested.

Respectfully submitted for Applicant,

Rυ

Theobald Dengler Registration No. 34,575

McGLEW AND TUTTLE, P.C.

TD:tf

DATED:

January 27, 2004

SCARBOROUGH STATION

SCARBOROUGH, NEW YORK 10510-0827

(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.